REMARKS/ARGUMENTS

Claims 1-20 are pending in the present application. Claims 1-7 and 17-20 have been withdrawn from consideration. In the Office Action mailed August 25, 2005, the Examiner rejected claim 13 under 35 U.S.C. § 112, second paragraph. The Examiner also rejected claims 8-16 under 35 U.S.C. § 103(a). Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

A.   Claim 13 Rejected Under 35 U.S.C. 112

The Examiner rejected claim 13 under 35 U.S.C. § 112, second paragraph. Claim 13 has been amended so that the phrase "one or more updates" has been deleted from claim 13. Accordingly, Applicants respectfully request that the rejection of claim 13 be withdrawn.

B.   Claims 8-16 Rejected 35 U.S.C. 103(a)

The Examiner rejected claims 8-16 under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,757,710 to Reed et al. (hereinafter, "Reed") in view of U.S. Patent No. 6,362,836 to Shaw et al. (hereinafter, "Shaw"). This rejection is respectfully traversed.

The M.P.E.P. states that

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

> The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not disclose, teach or suggest all of the limitations in these claims.

Claim 8 is directed to a "method for providing an autonomous multimedia computing device." Claim 8 recites "storing a local copy of a configuration file ... on the autonomous multimedia computing device."

Reed discloses "a system ... which automatically updates a database in a consumer computer with information from a provider computer." Reed, col. 12, lines 4-6. Figure 1 of Reed shows a consumer computer 2 and a provider computer 1. A consumer program 22 is located on the consumer computer 2. A provider database 11 is located on the provider computer 1. "The consumer program ... determine[s] when information has been updated by the provider. The consumer program then retrieves the information ... and compares it to the existing information to determine what has been updated." Id. col. 9, lines 19-23. It appears that the Examiner is asserting that the updated information disclosed in Reed is the "configuration file" that is recited in claim 8. See Office Action, page 3. Applicants respectfully disagree.

Reed only discusses the information that is updated in the consumer computer 2 in very general terms. Reed states that the provider database 11 includes "communications control information which [the provider] desires to disseminate or make accessible to one or more consumers." Reed, col. 12, lines 13-14. Reed also states that "[t]he information stored in the consumer database 21 can ... include data, metadata, and instructions to be used by the consumer program 22 for controlling and automating communications between the provider and consumer." Reed, col. 14, lines 24-27.

The "configuration file" recited in claim 8 is not merely "information." Rather, claim 8 recites that the configuration file "comprises parameters and settings which determine how the autonomous multimedia computing device operates." Claim 8 also recites that the configuration file contains "instructions" for "playing ... multimedia content." One of ordinary skill in the art would not consider Reed's general reference to updated information as disclosing, teaching, or suggesting the "configuration file" that is recited in claim 8.

Claim 8 also recites that the autonomous multimedia computing device "polls a server ... for updates." "[I]n response to updates being available from the server," the autonomous multimedia computing device "download[s] one or more updates from the server." Claim 8 has been amended to recite that the autonomous multimedia computing device "does not receive updates from other autonomous multimedia computing devices." Support for this amendment may be found throughout Applicants' specification, such as on page 9, line 6 and on page 27, lines 22-23.

In the system that is disclosed in Reed, "changes ... in information stored in the provider database 11 ... [are] stored on a distribution server 32, such as a web server, which then can be accessed by the consumer computer 2. ... The consumer program 22 will typically poll the distribution server 32 to determine whether the information has changed." Reed, col. 13, lines 22-37.

Neither Reed nor Shaw discloses, teaches or suggests an autonomous multimedia computing device that "downloads ... updates from the server" and "does not receive updates from other autonomous multimedia computing devices." In fact, Reed specifically teaches away from this approach, stating that "[w]hen updated information is received, the consumer program ... also can transfer the information to [a] second consumer computer" and that "[t]he second consumer computer can ... have it forwarded by the first consumer computer." Reed, col. 9, lines 19-32.

In view of the foregoing, Applicants respectfully submit that claim 8 is patentably distinct from the cited references. Accordingly, Applicants respectfully request that the rejection of claim 8 be withdrawn.

Claims 9-16 depend either directly or indirectly from claim 8. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn for at least the same reasons as those presented above in connection with claim 8.

In addition, Applicants respectfully submit that the cited references do not disclose, teach or suggest that "the local copy of the configuration file is in eXtensible Markup Language (XML) format," as recited in claim 14. Reed teaches the use of object oriented programming, and Reed indicates that "object instances can be written or read in an ASCII markup language ...

such as SGML." Reed, col. 24, lines 6-9. However, the SGML markup language is not the same as the XML markup language.

C.   New Claims 21-23

New claim 21 has been added. Claim 21 depends from independent claim 8. Claim 21 recites that "the configuration file defines a program that comprises one or more media files and priority and timing information for the one or more media files." Claim 21 also recites that "playing the multimedia content comprises playing the one or more media files according to the priority and timing information." Support for claim 21 may be found throughout Applicants' specification, such as on page 28, line 20 through page 34, line 9. Applicants respectfully submit that claim 21 is patentably distinct from the cited references. As the Examiner correctly points out, Reed mentions that the consumer program 22 can filter, sort, and display "full multimedia messages." Reed, col. 19, lines 24-27. However, Reed does not disclose, teach or suggest "playing ... one or more media files according to ... priority and timing information."

New claim 22 has also been added. Claim 22 depends from claim 21. Claim 22 recites that "the configuration file for the autonomous multimedia computing device is different from configuration files for the other autonomous multimedia computing devices." Support for claim 22 may be found throughout Applicants' specification, such as on page 29, lines 13-14 and on page 29, line 21 through page 30, line 2. Applicants respectfully submit that claim 22 is patentably distinct from the cited references. As indicated above, Reed specifically teaches away from the approach of claim 22, stating that "[w]hen updated information is received, the consumer program ... also can transfer the information to [a] second consumer computer" and that "[t]he second consumer computer can ... have it forwarded by the first consumer computer." Reed, col. 9, lines 19-32.
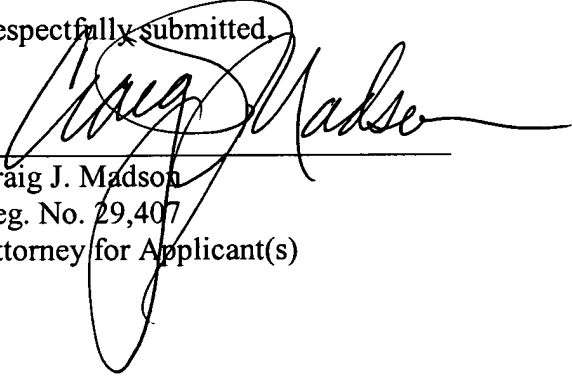
New claim 23 has also been added. Claim 23 depends from claim 22. Claim 23 recites that "the multimedia computing device is a multimedia display device," and that "the multimedia content does not allow input from a user of the multimedia display device." Support for claim 22 may be found throughout Applicants' specification, such as on page 14, lines 9-14 and on page 17, lines 15-20. Applicants respectfully submit that claim 23 is patentably distinct from the cited

references. The system disclosed in Reed allows user input. For example, Reed states that the "consumer and provider programs can operate ... with or without input from the users." Reed, col. 9, lines 36-39. Reed also states that "[t]he combination of methods and data permits joint control by the provider and consumer over the information transferred." Reed, col. 8, lines 64-66.

D.   Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

Craig J. Madson
Reg. No. 29,407
Attorney for Applicant(s)

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MADSON & AUSTIN
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700